



SUPPLEMENTAL BOARD AGENDA

Thursday, April 24, 2025

Board Room – 2nd Floor

The Public Portion Of The Meeting Will Begin At 2:15 p.m.

PUBLIC PARTICIPATION

To Speak on an Agenda Item via Teleconference

To participate via teleconference please click the link below.

To comment by Zoom video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on the eligible Agenda item. During your turn, you will be unmuted to make public comment, and re-muted after the allotted time. All speakers will be allotted a minimum of one minute.

*To comment by phone, please call on one of the phone numbers listed below. You will be prompted to "Raise Your Hand" by pressing "*9" to request to speak when Public Comment is being taken on the eligible Agenda Item. During your turn, you will be unmuted to make public comment, and re-muted after the allotted time. Please unmute yourself by pressing *6.*

<https://portoakland.zoomgov.com/j/1600409179>

To join by Telephone:

US: US: +1 669 254 5252 or +1 669 216 1590 or +1 415 449 4000

Webinar ID: 160 040 9179

To Speak on an Agenda Item In-person

You may speak on any item appearing on the Agenda. Please fill out a Speaker's Card and give it to the Board Secretary before the start of the meeting or immediately after the conclusion of Closed Session. You may submit a Speaker Card for Open Forum any time prior to Open Forum. All speakers will be allotted a minimum of one minute.

ROLL CALL

Commissioner Dominguez Walton, Commissioner Lee, Commissioner Martinez, Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

1. CLOSED SESSION (1:00 p.m.)

Closed Session discussions and materials may not be disclosed to a person not entitled to receive it, unless the Board authorizes disclosure of that confidential information.

- 1.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -** (Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of California Government Code Section 54956.9): **Number of Matters: 2.**

File ID: [\[115-25\]](#)

- 1.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -** (Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9): **Number of Matter(s): 2:**

(1) City and County of San Francisco v. City of Oakland, etc., et al, U.S. District Court (N.D. Cal.) Case No. 3:24-cv-02311

(2) City and County of San Francisco v. Port of Oakland, U.S. Court of Appeals for the Ninth Circuit, Case No. 24-7532

File ID: [\[116-25\]](#)

- 1.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION -** (Pursuant to California Government Code Section 54957)

Title: Port Attorney and Board Secretary

File ID: [\[117-25\]](#)

OPEN SESSION/ROLL CALL

Commissioner Dominguez Walton, Commissioner Lee, Commissioner Martinez, Commissioner Myres, Second Vice-President Leslie, First Vice-President Cluver and President Colbruno

CLOSED SESSION REPORT

The Port Attorney or Board Secretary will report on any final actions taken in Closed Session.

2. CONSENT ITEMS

Action by the Board under “Consent Items” means that all matters listed below have been summarized and will be adopted by one motion and appropriate vote. Consent Items may be removed for further discussion by the Board at the request of any member of the Board.

- 2.1 Resolution:** Approve and Authorize the Executive Director to Execute an Agreement with the City of Oakland for Police Patrol Services in the Hegenberger Road / 98th Avenue Airport Corridors for Up to Ten Months for a Maximum Compensation Not to Exceed \$350,000 and Finding That the Proposed Action is Exempt Under the California Environmental Quality Act. **(Aviation)**

File ID: [\[108-25\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 2.1](#)

- 2.2 Ordinance:** Approve and Authorize the Executive Director to Execute a Construction Ramp Storage and Staging Space/Use Permit with Western Construction, Inc. at Oakland Airport to Include a Total of Approximately 2,700 Square Feet of Ramp Space for Up To \$48,600 in Total Rent from January 1, 2024 through December 31, 2026 and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Aviation)**

File ID: [\[104-25\]](#)

Attachments: [Agenda Report](#)
[Ordinance Item 2.2](#)

- 2.3 Ordinance:** Approve and Authorize the Executive Director to Execute a Lounge Storage and Support Space/Use Permit with CAVU Experiences, LLC at Oakland Airport to Include a Total of Approximately 420 Square Feet of Concession Storage Support Space for up to \$51,442.75 in Total Rent from January 22, 2024, through December 31, 2025, and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Aviation)**

File ID: [\[105-25\]](#)

Attachments: [Agenda Report](#)
[Ordinance Item 2.3](#)

- 2.4 Minutes:** Approval of the Minutes of the Regular Meetings of March 13, 2025 and March 27, 2025. **(Board)**

File ID: [\[118-25\]](#)

Attachments: [March 13, 2025 Minutes](#)
[March 27, 2025 Minutes](#)

- 2.5 Information Report:** Report of Appointments, Separations and Leaves of Absence for FY 2024-25 3rd Quarter (January 1, 2025 - March 31, 2025). **(Finance & Admin)**

File ID: [\[113-25\]](#)

Attachments: [Report](#)

3. MAJOR PROJECTS

This segment of the meeting is reserved for action and discussions regarding the status of Major Projects and issues of special importance.

4. BUDGET & FINANCE

This segment of the meeting is reserved for action or discussion regarding the status of Budget and Finance issues.

- 4.1 Resolution:** Approve and Authorize the Executive Director to Execute an Agreement with Mythics, LLC for Oracle Enterprise Resources Planning Software Maintenance and Support for a Term of Five Years for an Amount Not to Exceed \$1,446,333 and finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Finance & Admin)**

File ID: [\[112-25\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 4.1](#)

5. STRATEGY & POLICY

This segment of the meeting is reserved for action or discussion on Strategy and Policy Issues.

6. REMAINING ACTION ITEMS

Remaining Action Items are items not previously addressed in this Agenda that may require staff presentation and/or discussion and information prior to action by the Board.

- 6.1 Ordinance & Resolution:** (a) Approve and Authorize the Executive Director to (i) Execute a Third Amendment to the Lease with Shippers Transport Express, Inc. to Modify Premises and Compensation Due to Certain Development Activities, Resulting in a Revenue Reduction of Approximately \$183,000 in FY 2025 through FY 2029; and (ii) Execute a Second Amendment to the Temporary License Agreement with Alameda County Transportation Commission for Access to Perform Said Development Activities with a Term through December 31, 2028; and (b) Find that the Proposed Actions are Exempt from the California Environmental Quality Act **(Maritime)**

File ID: [\[101-25\]](#)

Attachments: [Agenda Report](#)
[Ordinance Item 6.1](#)

- 6.2 Ordinance:** Approve and Authorize the Executive Director to Execute the Tenth Supplemental Agreement with BNSF Railway Company for the Joint Intermodal Terminal to Extend the Term through December 31, 2025, Provide One Option to Extend the Term by One Year, Modify Compensation Resulting in a Revenue Reduction of Approximately \$3.2 Million in FY 2026, and Modify Other Provisions Related to Term and Potential Future Rail Service; and Find that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Maritime)**

File ID: [\[109-25\]](#)

Attachments: [Agenda Report](#)
[Ordinance Item 6.2](#)

- 6.3 Resolution:** Approve and Authorize the Executive Director to Enter into an Agreement with Dell Marketing LP (or the Next Lowest Bidder) to Renew Microsoft Software Licensing for Three Years for an Amount Not to Exceed \$1,520,000, and Increase the Amount Authorized with Dell Marketing LP for the Existing Microsoft Software Licensing Agreement by \$80,000; and Find that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Technology & Innovation)**

File ID: [\[102-25\]](#)

Attachments: [Agenda Report](#)
[Resolution Item 6.3](#)

- 6.4 Resolution:** Approve and Authorize the Executive Director to Execute a Confirmation Agreement between East Bay Municipal Utility District and the Port of Oakland for the Purchase of Excess Facility As-Run Bundled Renewable Energy Certificates for the Delivery Term of 10 Years from July 1, 2025 through June 30, 2035, with an Estimated Excess Annual Generation of 11,300 to 17,700 Megawatt-Hours at a Price of \$36 for Each Renewable Energy Credit that will comply with the State of California Renewable Portfolio Standards; and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Utilities)**

File ID: [\[95-25\]](#)

Attachments: [Agenda Report](#)
 [Resolution Item 6.4](#)

- 6.5 Resolution:** Approve and Authorize the Port of Oakland Risk Manager to Execute all Necessary Documents and to Approve Reasonable Substitutions of Insurers to Renew Port of Oakland Insurance Policies Arranged and Paid Through Prime Insurance Brokers Described Herein, Subject to Minor Adjustments Upon Placement, for a Total Amount not to Exceed \$8,500,000 and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Finance & Admin)**

File ID: [\[111-25\]](#)

Attachments: [Agenda Report](#)
 [Attachment](#)
 [Resolution Item 6.5](#)

7. UPDATES/ANNOUNCEMENTS

The President, Members of the Board and the Executive Director will report on noteworthy events occurring since the last Board Meeting.

8. SCHEDULING

This segment of the meeting is reserved for scheduling items for future Agendas and/or scheduling Special Meetings

OPEN FORUM

The Board will receive public comment on non-agenda items during this time.

ADJOURNMENT

The next Regular Meeting of the Board will be held on May 8, 2025.

PUBLIC PARTICIPATION

To Speak on an Agenda Item

You may speak on any item appearing on the Agenda. Please fill out a Speaker's Card and give it to the Board Secretary **before the start of the meeting** or immediately after conclusion of Closed Session. Cards received after the start of the meeting will be treated as a single request to speak in Open Forum. All speakers will be allotted a minimum of one minute.

To Receive Agendas & Related Materials

Should you have questions or concerns regarding this Agenda, or wish to review any of the Agenda Related Materials, please contact the Board Secretary, Daria Edgerly, at: (510) 627-1337, or visit our web page at: www.portoakland.com

To receive Port Agendas and Agenda Related Materials by email, please email your request to: dedgerly@portoakland.com

Disability Related Modifications

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, may submit a written request, electronic request, or telephone request [via the California Relay Service (telephone) for the hearing impaired at (800) 735-2922], to the Secretary of the Board **no later than five working days** prior to the scheduled meeting date.

Daria Edgerly, Secretary of the Board
530 Water Street, Oakland, CA 94607
dedgerly@portoakland.com
(510) 627-1337

Language & Interpretive Services

As a grantee of federal aid grant funds from the US Department of Transportation, the Port is responsible for ensuring equal access to its programs, services, and benefits. To request bilingual interpreters or materials in alternate formats, please contact the Secretary of the Board **no later than five working days** prior to the scheduled meeting date.

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Commissioners' Statement of Intention

We are a governing Board whose authority lies with the entirety of the Board.

We govern in accordance with our fiduciary duty to the Port of Oakland.

We conduct ourselves with clarity and transparency, grounded in the principles of integrity, trust and respect.

We reach our decisions through candid, open and deliberative debate and hold both staff and ourselves accountable for implementing them.